

# Exhibit “C”

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**BUILDERS ASSOCIATION OF  
METROPOLITAN PITTSBURGH and  
S. RAND WERRIN,**

**Plaintiffs,**

**v.**

CITY OF PITTSBURGH

**Defendant.**

Civil Action No. 2:22-CV-00706-  
RJC

**AFFIDAVIT OF E. MARTIN GILLESPIE**

I, E. Martin Gillespie, being duly sworn, make this Affidavit on the basis of my personal knowledge and state as follows:

1. I am a resident of Washington County and am above the age of 18 years old.
2. I am the CEO for Laurel Communities, LLC.
3. Laurel Communities, LLC (“Laurel”) is engaged in the business of developing land and building residential homes in Western Pennsylvania, including in the City of Pittsburgh.
4. Laurel is a member of the Builders Association of Metropolitan Pittsburgh (“BAMP”).
5. Laurel has a project located in the Polish Hill section of the City of Pittsburgh on Herron Avenue (the “Project”) which is subject to the City of Pittsburgh’s inclusionary zoning requirements, including those contained in City Ordinances 2021-1414 and 2022-0592 (the “Ordinances”).
6. As a result of the financial requirements imposed by complying with the City’s Inclusionary Zoning requirements, Laurel has opted to only pursue a 19 unit development project.

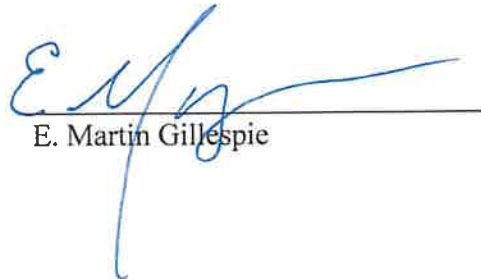
If the City's inclusionary zoning requirements were not applicable to this Project, Laurel would have pursued the development of 20 or more units.

7. The City's inclusionary zoning requirements, and the financial implications associated therewith, have significantly impacted the financial viability of the Project in that it has reduced the number of units that would have otherwise been built as part of the Project.

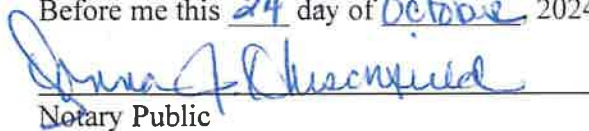
8. The requirements imposed on Laurel under the City of Pittsburgh's Inclusionary Zoning Ordinances have harmed Laurel's business and Laurel will continue to suffer substantial economic loss as a result of the same.

I declare under penalty of perjury that the foregoing is true and correct.

**FURTHER AFFIANT SAYETH NOT.**

  
E. Martin Gillespie

SWORN TO and subscribed to  
Before me this 24 day of October, 2024

  
Notary Public

My Commission Expires:

